# ARIZONA BOARD OF APPRAISAL



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# MINUTES REGULAR BOARD MEETING Friday, June 17, 2011 9:07 AM

#### Call to Order and Roll Call

Regular Board meeting called to order by Les Abrams, Chairman.

Board members Present at Roll Call:

Les Abrams
Debbie Rudd
Myra Jefferson
James Heaslet
Michael Petrus II
Joe Stroud
Mike Trueba
Kevin Yeanoplos

#### Staff Attendance:

Dan Pietropaulo – Executive Director Jeanne Galvin – Assistant Attorney General Amanda Benally – Staff Rebecca Loar – Staff

#### Pledge Allegiance to the Flag of the United States of America

#### **Approval of Minutes**

Debbie Rudd made a motion to approve the May minutes. The motion was seconded by James Heaslet, Michael Petrus II abstained, the motion passed. James Heaslet made a motion to approve the June Special Board Meeting Minutes. The motion was seconded by Michael Trueba, the motion passed unanimously.

#### Call to the Public

There were no calls to the public.

#### Review and Action concerning 3245 Carlos Jacome

Respondent appeared. Staff summary was read. Complaint Alleges: Following a review appraisal several USPAP errors were found. Respondent Replies: No written response was received. The appraiser did provide a copy of his appraisal and work file for the Board to review. At the time of the proceeding, Respondent stated he had provided a copy of his response to the Board; he provided a copy to staff for the file. Debbie Rudd made the motion that the Board find no violations and dismiss the complaint. James Heaslet seconded the motion, the Board voted unanimously in favor of the motion.

# Review and Action concerning 3250 Kelly Bell

Respondent appeared. Staff summary was read. Complaint Alleges: Following a review appraisal, multiple USPAP errors were found. Respondent Replies: The original appraisal report has errors and omissions that were not intentional on my part. I have identified additional alternate comparables within my rebuttal letter to the Board that would continue to support the estimated value of the subject unit, as of the effective

date if they were utilized. There was discussion regarding respondent's methodology of comparable selection and methods to verify sales. It was discussed that once an appraisal is done for a lender and that lender sells the loan to another lender that new lender then becomes the appraiser's client, (See URAR Statement of Limiting Conditions Certification No. 23). Michael Petrus II made the motion that the Board find a Level 1 violation and offer a Nondisciplinary Letter of Concern. Joe Stroud seconded the motion. Joe Stroud made a general comment that mortgage companies are being forced to repurchase loans that had appraisal deficiencies. The mortgage companies have to buy back these loans when they relied on deficient appraisals. Debbie Rudd voted no, the motion passed.

#### Review and Action concerning 2867 Jeffrey Playford

Respondent appeared. The audit of the appraisals and work files revealed several errors were found on all three appraisals. Debbie Rudd made the motion that the Board deny respondent's request to terminate probation and extend probation for a minimum of three months with mentor with a minimum of 12 reports. Michael Trueba seconded the motion. The Board voted unanimously in favor of the motion.

#### Review and Action concerning 3073 Frank Vega

Respondent appeared. Debbie Rudd made the motion for the Board to accept the investigative report. Michael Petrus II seconded the motion, James Heaslet recused himself and the Board voted unanimously in favor of the motion.

Debbie Rudd made the motion to invite respondent to an Informal Hearing. Jeanne Galvin, Assistant Attorney General informed the Board that if the Board had enough information they could offer the Respondent an order with a copy of the investigative report. Then the respondent could either sign the proposed order, or request an Informal Hearing. That way this matter will move along. Debbie Rudd amended her motion to offer respondent a Consent Agreement and Order citing the violations found in the investigative report, but stated she had questions on which level should be cited. Debbie Rudd withdrew her amended motion and made the motion to invite respondent to an Informal Hearing. Michael Petrus II seconded the motion. James Heaslet recused himself, and the Board voted unanimously in favor of the motion.

#### Review and Action concerning 2875 Sean Chaffey

Respondent appeared via telephonic conference. The audit of the appraisals and work files revealed that there were problems with appraisal number one, which is landlocked and no utilities on this rural vacant land. Adjustments were not supported. Debbie Rudd made the motion that the Board deny Respondent's request to terminate probation and extend probation for a minimum of three months and for Dan Pietropaulo, Executive Director and Jeanne Galvin, Assistant Attorney General to find an appropriate class for the Respondent to complete to address the issues found in appraisal number one. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion.

#### Review and Action concerning 3238/3239/A009/A010 Jay A. Josephs

Respondent did not appear; Greg Bernstein appeared as co-owner of Value Trend Solutions, LLC and Josephs Appraisal Group Arizona, Inc. Staff summary was read. Complaint Alleges: Respondent failed to notify the Board of his current lawsuit. Respondent Replies: This lawsuit was not disclosed on my renewal application or my two AMC applications because it did not involve me or any appraisal I prepared and did not name me as a defendant. Complaints 3239/A009/A010 were opened by the Board. Complaint Alleges: A complaint has been opened based on the answer provided to question 11 on the Arizona Board of Appraisal Renewal application dated 11-30-2010. It

has been brought to the Board's attention that Respondent may have failed to disclose the lawsuit on his appraisal renewal application and on both Appraisal Management Company (AMC) applications. The Board is alleging possible violations of A.R.S. '32-3631. Respondent Replies: This lawsuit was not disclosed on my renewal application or my two AMC applications because it did not involve me or any appraisal I prepared and did not name me as a defendant. Debbie Rudd made a motion that the Board dismiss all four complaints as there was no violation. Joe Stroud seconded the motion. The Board voted unanimously in favor of the motion.

#### Review and Action concerning 3227 Jason K. Moss

Respondent appeared. Debbie Rudd made the motion that the Board accept Respondent's counteroffer and offer a Level II Remedial Action Letter with the same violations as the original Board offer. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion.

#### Review and Action concerning 3243 Brian D. Mills

Respondent appeared. Staff summary was read. Complaint Alleges: Multiple errors and concerns questioning the validity of this appraisal. Respondent Replies: I feel that I have not violated any rules, regulations, or the code of ethics expected of an appraiser and the complaint appears to be frivolous and without merit. Michael Petrus II made the motion that the Board find no violations and dismiss the complaint. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion.

#### Review and Action concerning 3251 Andrew Mitchell

Respondent appeared. Staff summary was read. Complaint Alleges: Incorrect technical data in the appraisal report; number of bedrooms, photos missing, and failure to compare our dwelling to like kind of quality. Respondent Replies: Best comps available were used. There were two typos in the report. Typically the bedroom count varies when a room can serve multiple purposes. My recollection is that the office was the size of two standard-sized rooms and that one former room had been converted into a part of the office by the removal or partial removal of a non load-bearing wall. All of the required photos are included in the report. Michael Petrus II made the motion that the Board find no violations and dismiss the complaint. Debbie Rudd seconded the motion. The Board voted unanimously in favor of the motion.

#### Review and Action concerning 3235 Forrest K. McElmurry

Respondent appeared. Staff summary was read. Complaint Alleges: Errors and omissions in the appraisal resulting in a low appraised value. Appraiser seems to lack knowledge of home in Ahwatukee area. Respondent Replies: There was a minor miscalculation in measuring the second floor due to a closet that had limited access at the time. I did make a second trip back to the home and re-measured. I have completed over 27 appraisals assignments over the past 2 years in the Ahwatukee area. It is my opinion that the complainant was disappointed in the appraisal outcome. Debbie Rudd made the motion that the Board send this complaint to investigation. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion.

### Review and Action concerning 2959 Jonathan P. George

Respondent appeared. The audit of the appraisals and work files were reviewed and Michael Petrus II made the motion that the Board terminate respondent's probation. Debbie Rudd seconded the motion. The Board voted unanimously in favor of the motion.

# Review and Action concerning 2537 David M. Hossfeld

Rebecca Loar, Regulatory Compliance Administrator informed the Board that the

Respondent has turned in his mentor's missing reports and is now in compliance with the Board. There was discussion that this complaint has gone on a long time and requested that the Board staff contact Respondent and remind him that he can do sample appraisals of real property to meet his requirements of his consent agreement.

#### Review and Action concerning 2744/3193 William G. Scott

Rebecca Loar, Regulatory Compliance Administrator informed the Board that the Respondent has signed the Board's proposed Consent Agreement and Order for Voluntary Surrender. Debbie Rudd recused herself. The Board took no action.

#### Review and Action concerning 2908 Kenneth J. Lemoine

Rebecca Loar, Regulatory Compliance Administrator informed the Board that as of today the respondent has not contacted the Board staff. Debbie Rudd made the motion that the Board refer this matter to formal hearing for failure to reply. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion.

#### Review and Action concerning 2926/2927/2928/2929/2930 Scott A. Gary

Rebecca Loar, Regulatory Compliance Administrator informed the Board that the respondent has signed the Board's proposed Consent Agreement. The Board took no action.

### Review and Action concerning 2937 Karen K. Looney

Debbie Rudd made the motion that the Board deny Respondent's request for an extension to complete the disciplinary education and appraisal reports and offered a Consent Agreement and Order for Voluntary Suspension until she complies and instructed Board staff to inform her that she can use sample appraisals of real property for regulatory purposes only. If Respondent doesn't sign the proposed Consent Agreement and Order for Voluntary Suspension the Board will refer this matter to formal hearing for revocation. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion.

#### Review and Action concerning 3037/3038/3039 Adele D. Lindquist

Rebecca Loar, Regulatory Compliance Administrator informed the Board that the Respondent has failed to sign proposed Due Diligence Consent Letter and Board staff re-mailed the proposed Due Diligence Consent Letter since the address numbers were inadvertently transposed. Les Abrams directed Board staff to table this till next month to give Respondent time to respond to the proposed re-mailed Due Diligence Consent Letter

#### Review and Action concerning 3175 James A. Gonzalez

Rebecca Loar, Regulatory Compliance Administrator passed out a handout that the Respondent turned in prior to the Board Meeting. There was discussion among the Board members regarding geographic competency and that the Respondent can obtain geographic competency without performing appraisals. Debbie Rudd made the motion that the Board reoffer the proposed Consent Agreement and Order to include a notification to the Board on how the Respondent intends to obtain geographic competency and submit the monthly appraisal logs during his probationary period. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion.

#### Review and Action concerning 3102 James A. Gonzalez

This complaint was tabled from October 2010 Board Meeting. Debbie Rudd made the motion that the Board dismiss this complaint for lack of jurisdiction and to include this complaint with 3175 if it goes to the Office of Administrative Hearings for revocation as

possible evidence to indicate a pattern if necessary. Michael Trueba seconded the motion. The Board voted unanimously in favor of the motion.

#### Review and Action concerning 3203 Joseph M. Delaney

Rebecca Loar, Regulatory Compliance Administrator updated the Board that Respondent has requested an Informal Hearing. The Board took no action.

#### Review and Action concerning 7939 Jennifer Deuning

Debbie Rudd made the motion that the Board approve John Saggio as Mentor. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion.

### Review and Action concerning 2912 Flo C. Lehnus

Debbie Rudd made the motion for the Board to accept the investigative report and table until the Board can discuss 3136. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion.

### Review and Action concerning 3058 Peter Crimando

Debbie Rudd made the motion for the Board to accept the investigative report. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion. Debbie Rudd made the motion that the Board find a Level 2 violation and offer a Nondisciplinary Letter of Remedial Action citing the violations found in the investigative report. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion.

#### Review and Action concerning 3078 Adele D. Lindquist

This complaint was tabled from April 2011. Staff summary was read. Debbie Rudd made the motion that the Board find a Level 1 Nondisciplinary Letter of Concern finding 1-3 (a); 2-1 (b) for market value trends stated in the cost approach that values declined 13% but were only adjusted 6%. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion.

#### Review and Action concerning 3136 Flo C. Lehnus

Debbie Rudd made the motion that the Board refer this to investigation and then combine Complaint 2912 when it comes back from investigation. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion.

# Review and Action concerning 3209 Kevin J. Rodolico

Debbie Rudd made the motion that the Board grant Respondent's request for a 3 month extension to reply to the Board due to his current medical condition. Michael Petrus II seconded the motion. The Board voted unanimously in favor of the motion.

# Review and Action concerning 3241 Kyle D. Lindsey

Staff summary was read. Complaint Alleges: Following an appraisal review and an Automated Valuation Model of the subject property, it is apparent that the original appraiser ignored more recent sales that provided a better indication of the subject's value at the time. Respondent Replies: Best comps available at the time were used and within the client's guidelines. Debbie Rudd made the motion that the Board refer this to investigation and to send it to the same investigator as Complaint 2984 to see if there is a pattern. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion.

# Review and Action concerning 3248 Neil F. Conway

Staff summary was read. Complaint Alleges: The appraiser refused to comply with the underwriter's request and therefore the appraiser has prevented me from purchasing my

home. Respondent Replies: I did respond to the lender regarding this case. Apparently the VA approved and was satisfied with my appraisal, because they issued a Notice of Value (N.O.V.), which insures the lender from losses on the loan. There was discussion that there were only two pages of the work file submitted. Question if the Veteran Affairs Addendum is a canned comment. The difference in the square footage is not credible; there is a lack of explanation in the report. James Heaslet made the motion that the Board find a Level 3 and offer 3 months probation requiring disciplinary education pursuant to a Consent Agreement. Debbie Rudd seconded the motion. The Board voted unanimously in favor of the motion.

### **12-month File Review**

Dan Pietropaulo, Executive Director gave an update to the Board regarding the status of all complaints noted under this section and noted that as of the November 2010 Appraisal Subcommittee Audit the Board had 63 complaints under 12-month file review and as of today the Board has 43.

#### Review and Action concerning A0014 Appraiser Loft, LLC

Staff summary was read. Amanda Benally, AMC (Appraisal Management Company) Administrator updated the Board that the complainant has received payment for the two appraisal invoices that were outstanding for approximately five and a half months.

#### Review and Action concerning A0016 Appraiser Loft, LLC

Staff summary was read. Amanda Benally, AMC (Appraisal Management Company) Administrator updated the Board that the complainant has received partial payment. Dan Pietropaulo, Executive Director did research on the company online and through blogs, it appears to show a pattern of an existing problem with this company. Although not considered factual data this research did reflect that the payment issues to Arizona appraisers may be extending into other states and the issue of payment to Arizona appraisers may be apart of a larger problem. There were twelve outstanding appraisal invoices for lack of payment. Once a complaint was filed with the Board eight appraisal invoices were paid. Now there are four appraisal invoices that haven't been paid. Debbie Rudd made the motion that the Board have a special telephonic meeting as soon as possible to consider the summary suspension of this registration and to include a civil penalty of \$15,000 per violation. Michael Trueba seconded the motion. The Board voted unanimously in favor of the motion.

# Review and Action concerning 0002 Aces Real Estate Appraisals of California

Amanda Benally, AMC (Appraisal Management Company) Administrator updated the Board that the Respondent has not signed the second proposed Consent Agreement for voluntary surrender. Debbie Rudd made the motion that the Board refer this matter to formal hearing for revocation. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion.

# New Business: Discussion, consideration, and possible action concerning eTEC Appraisal Management Solutions registrations No. 40083 and various complaints received from appraisers

Jeanne Galvin, Assistant Attorney General updated the Board that the formal hearing before the Office of Administrative Hearings is set for the end of July and Respondent's attorney may be submitting a proposal for settlement. The Board took no action.

#### **Executive Director Report**

Jeanne Galvin, Assistant Attorney General informed the Board that her assignments are up to date. Dan Pietropaulo, Executive Director updated the Board there were two complaint replies extended by staff and explained what to expect in the next few months

for Board agendas. He suggested that the live website may help with the distribution of Board documents by making them accessible on the Board's website via password. Debbie Rudd suggested a review committee to prescreen new complaints prior to the Board's initial file reviews if the volume of complaints increases. The executive director informed the Board that he will try to get appropriations and Full time Employee (FTE) to hire an investigator for Fiscal Year 2013. This position would investigate both appraisal and AMC (Appraisal Management Company) complaints.

| <u> </u>   | _              | r         |       | 1           | 1          |      | _  |          |       |                      |
|--|----------------|-----------|-------|-------------|------------|------|--|----------|-------|----------------------|
|  |                | %         | April |             | %          | May  |  | %        | Total | Total %<br>from Jan. |
| Complaints Received by Board                           | 14             |           | 14    |             |            | 13   |  |          | 60    |                      |
| Number of Respondents (of complaints received)         | 13             |           | 14    |             |            | 11   |  |          | 57    |                      |
| Number of Agenda Items                                 | 22             |           | 39    |             |            | 37   | *6   |          | 172   |                      |
| Board Actions  | ╁              |           |       |             |            |      |  |          |       |                      |
| Dismissed  | 9              | 69.23%    | 5     |             | 18,52%     | 3    |  | 42.86%   | 26    | 31.33%               |
| Nondisciplinary Letter of Concern                      | 0              | 0.00%     | 0     |             | 0.00%      | 0    | <b></b>  | 0.00%    | 7     | 8.43%                |
| Nondisciplinary Remedial Action                        | 2              | 15.38%    | 2     |             | 7.41%      | 2    | <del></del>                                      | 28.57%   | 10    | 12.05%               |
| Due Diligence  | 2              | 15.38%    | 1     | -           | 3.70%      | ō    | ┢  | 0.00%    | 4     | 4.82%                |
| Probation  | 10             | 0.00%     | 11    |             | 40.74%     | 2    | _  | 28.57%   | 22    | 26.51%               |
| Suspension   | 0              | 0.00%     |       | *5          | 29.63%     | 0    | -  | 0.00%    | 13    | 15.66%               |
| Surrender  | 0              | 0.00%     | 0     |             | 0.00%      | 0    | _  | 0.00%    | 0     | 0.00%                |
| Revocation   | 10             | 0.00%     | 0     |             | 0.00%      | 0    |  | 0.00%    | 1     | 1.20%                |
| Cease & Desist   | 0              | 0.00%     | 0     | ⇤           | 0.00%      | 0    |  | 0.00%    | 0     | 0.00%                |
| Total Board Actions                                    | 13             | 100.00%   | 27    |             | 100.00%    | 7    |  | 100.00%  | 83    | 100.00%              |
| Other Board Actions                                    | ╀              |           |       | _           |            |      |  |          |       |                      |
|  | <del>  _</del> | 00.0007   | _     | -           | 05.000/    | _    | _  | 0.000/   |       | 24 420/              |
| Ref. to Investigation                                  | 3              | 60.00%    | 1     | <u> </u>    | 25.00%     | 0    | _  | 0.00%    | 6     | 21.43%               |
| Informal Hearing                                       | 0              | 0.00%     | 2     | _           | 50.00%     | 0    | <u> </u>   | 0.00%    | 18    |                      |
| Formal Hearing   | 2              | 40.00%    | 1     | -           | 25.00%     | 0    |  | 0.00%    | 4     | 14.29%               |
| Total Other Board Actions                              | 5              | 100.00%   | 4     |             | 100.00%    | 0    |  | 0.00%    | 28    | 100.00%              |
| Violation Levels                                       | T              |           |       |             |            |      |  |          |       |                      |
| No Violation (Closed, Other, Etc.)                     | 13             | 76.47%    | 5     |             | 18.52%     | 0    | $\vdash$   | 0.00%    | 38    | 41.76%               |
| 1  | 0              | 0.00%     | 0     |             | 0.00%      | 3    |  | 42.86%   | 7     | 7.69%                |
| II   | 4              | 23.53%    | 3     | Г           | 11.11%     | 0    | $\vdash$   | 0.00%    | 12    | 13.19%               |
| [III   | 0              | 0.00%     | 6     |             | 22.22%     | 2    | <u> </u>   | 28.57%   | 19    | 20.88%               |
| IV   | 0              | 0.00%     |       |             | 48.15%     | 2    | <del>                                     </del> | 28.57%   | 14    | <del> </del>         |
| V  | 0              | 0.00%     | 0     | <del></del> | 0.00%      | 0    |  | 0.00%    | 1     | 1.10%                |
| Total Violations                                       | 17             | 100.00%   | 27    |             | 100.00%    | 7    |  | 100.00%  | 91    | 100.00%              |
| Complaints Closed as of 2011                           | -              |           |       |             |            |      |  |          |       |                      |
| Closed due to Expiration                               | 0              |           | 2     | -           |            | 0    | $\vdash$   |          | 19    |                      |
|  | 10             |           | 0     |             |            | 0    |  | <b></b>  | 19    | <del> </del>         |
| Closed - Other   | ╁              |           | U     | -           |            |      | <u> </u>   |          | 0     |                      |
| Total Closed Complaints                                | 0              |           | 2     |             |            | 0    |  |          | 19    |                      |
|  | $\vdash$       |           |       |             |            |      | _  | -        |       |                      |
| *1 Level 4 Probation and Mentorship for James Λ. Go    |                |           |       |             |            |      |  |          |       |                      |
| *2, 7 complaints for William H. Moffett #2385-2391, in | rclus          | ive       | L     |             |            | L    | L  | ļ        |       |                      |
| *3, James R. Nelson Summary Suspension 3071/308        | 5/31           | 95/3199/3 | 226   |             |            |      |  |          |       |                      |
| *4, Scott A. Gary 2926-2930, inclusive                 |                |           |       | _           |            |      |  |          |       |                      |
| *5, John S. Colman Suspension 2975-2982, inclusive     | 1              |           |       | L_          |            | L_   | <u> </u>   | <u>L</u> |       |                      |
| *6, This included Kym R. Gaudette 2280-2301, inclus    | ive t          | erminated | prob  | atio        | on (22 com | plai | nt file  | es)      |       |                      |

NOTE: This report reflects the number of complaints not the number of appraisers

Dan Pietropaulo, Executive Director informed the Board of the weekly staff meeting training that he has initiated. This training involves discussion and research involving the laws, rules, and USPAP. Dan Pietropaulo, Executive Director agreed to send the Board copies of the weekly meetings research projects. Dan Pietropaulo, Executive Director also informed the Board that the Board is within its 2011 appropriation and will have the 2012 budget to the committee in the next few weeks. He will also coordinate with the Personnel Committee to set up an annual meeting to discuss the Executive Director's annual review. Dan Pietropaulo, Executive Director also informed the Board that he is required by the Arizona State Department of Administration to conduct annual reviews for his employees using the Performance Appraisal for State Employees (P.A.S.E.) system.

### **Application Review Committee**

Report on number of Arizona Appraisers and Property Tax Agents:

|                       | 6/09 |               | 6/10 |               | 6/11 |                    |
|-----------------------|------|---------------|------|---------------|------|--------------------|
| Licensed Residential  | 774  |               | 569  |               | 417  |                    |
| Certified Residential | 1223 |               | 1216 |               | 1192 |                    |
| Certified General     | 821  | Total<br>2818 | 813  | Total<br>2598 | 808  | June Total<br>2417 |
| Nonresident Temporary | 42   |               | 45   |               | 87   | May Total<br>2421  |
| Property Tax Agents   | 323  |               | 361  |               | 359  |                    |

James Heaslet recommended that the Board approve all items on the application review committee agenda with the exception of AG11233 Jack Alexander. Debbie Rudd made the motion that the Board accept the committee's recommendation. Michael Trueba seconded the motion.

The Board voted unanimously in favor of the motion. James Heaslet made the recommendation that the Board deny the application for AG11233 Jack Alexander for his failure to make full disclosure on his application for certified general appraiser. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion.

#### **Education Review Committee**

James Heaslet recommended that the Board approve all items on the education review committee agenda with the exception of Paul Hendrick's request to allow him to take the Arizona required supervisor trainee course in the state of Washington. In addition, Mr. Hendricks wanted to suggest that Arizona accepts the Supervising Trainee courses to be taken online. Jessica Sapio, Licensing Administrator participated with this discussion via teleconference and informed the Board that it has been office policy to accept education from other states for renewal and new license applications as long as that education has been approved by the board from the state in which the class is given. Dan Pietropaulo, Executive Director informed the board of the education outline of the course that was provided by the respondent via his application. Jessica Sapio. Licensing Administrator informed the Board that this course was approved by the Appraisal Qualifications Board (AQB). Jessica Sapio, Licensing and Education Administrator compared the proposed course curriculum with the Arizona School of Real Estate curriculum and they appear to be the same. With that information Debbie Rudd made the motion to accept the education course. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion.

#### **Rules Review Committee**

Dan Pietropaulo, Executive Director informed the Board that there needs to be another Rules Committee Meeting.

# New Business: Discussion, consideration, and possible action concerning Marvin George from Rose Tyree

Joe Stroud informed the Board that he knows Marvin George professionally and has no bias and does not feel it necessary to recuse himself. Michael Petrus II made the motion the Board refer this to the Arizona Department of Real Estate and direct Jeanne Galivn, Assistant Attorney General to draft a letter to Bank of America to recommend that they make a distinction between a Broker Price Opinion (BPO) and an appraisal to the consumer. Michael Trueba seconded the motion. The Board voted unanimously in favor of the motion.

New Business: Discussion, consideration and possible action concerning unregistered appraisal management companies sending orders through registered appraisal management companies in an attempt to circumvent the law. The Board tabled this matter until Dan Pietropaulo; Executive Director has gathered more information.

# <u>Discussion, consideration and possible action concerning proposal by the Executive Director, Dan Pietropaulo for a Board Outreach to include a FHA presentation</u>

Dan Pietropaulo, Executive Director informed the Board that this will cost a little less than \$2,000 for the outreach meeting here in Phoenix. This will be 1 hour of board outreach and 7 hours of FHA class. This meeting will count as 7 hours of continuing education for the appraiser at no cost. The Board moved into executive session for legal advice. There were possible topics discussed i.e.; process of a complaint, how to improve the Board. Debbie Rudd made the motion that the Board approve the spending of funds for the outreach meeting. James Heaslet seconded the motion. There was discussion of the quality of the meeting facility, where the Board would be seated, and to make this outreach meeting more friendly and inviting by the Board. The Board directed staff to look into other facilities.

# <u>Discussion, consideration and possible action concerning the Attorney General's June 8, 2011 Opinion regarding Scope of Authority Under A.R.S. § 32-3612 With Respect to Appraisals of Nonfederally Related Transactions</u>

Jeanne Galvin, Assistant Attorney General gave a summary of the Attorney General's Opinion. The Attorney General's Opinion, does not overrule the Board's statutes and rules but may be relied upon. Debbie Rudd made the comment that the Board should review the website, applications forms, and other documents for compliance and that this should be corrected in statute.

# <u>Discussion, consideration and possible action relating to eTEC Appraisal</u> <u>Management Solutions relating to a proposed offer of settlement and possible rescission of the formal hearing set for 7/27/11</u>

Jeanne Galvin, Assistant Attorney General informed the Board that this matter was placed on the Board's agenda in the event respondent submitted an offer of settlement. As of today there has not been an offer of settlement but one is anticipated.

# Confirmation of Meeting Dates, Time, Locations, and Purposes

Rebecca Loar, Regulatory Compliance Administrator informed the Board that on July 21, 2011 at 1:00 p.m. for Rules Committee Meeting, 3:00 p.m. for Application Review Committee Meeting and 3:30 p.m. for Education Committee Meeting. The regular Board Meeting will be on Friday July 22, 2011 at 9:00 a.m.

# <u>Adjournment</u>

The meeting was adjourned.

Lester G. Abrams, Chairperson